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Counsel for Defendant Google LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

CHASOM BROWN, *et al.*, individually and
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF CARL SPILLY IN
SUPPORT OF GOOGLE'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF GOOGLE'S LETTER
BRIEF RE: DAUBERT MOTION TO
EXCLUDE CERTAIN OPINIONS OF
PLAINTIFFS' EXPERT JOHNATHAN
HOCHMAN PURSUANT TO DKT. 988**

Judge: Hon. Yvonne Gonzalez Rogers

1 I, Carl Spilly, declare as follows:

2 1. I am an attorney with Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for
3 Defendant Google LLC (“Google”) in this action. I am making this declaration pursuant to Civil
4 Local Rule 79-5(e)–(f) as an attorney for Google as the Designating Party, pursuant to Civil Local
5 Rule 79-5(f)(3) in response to Dkt. 990.

6 2. Pursuant to the Court’s September 7, 2023 Order (Dkt. 988), Google submits a two-
7 page Letter Brief re: Daubert Motion to Exclude Certain Opinions of Plaintiffs’ Expert Johnathan
8 Hochman. Based on my review, there are compelling reasons to seal the following:

Document(s) to be Sealed	Basis for Sealing
<p>9 Exhibit A: Second Supplemental</p> <p>10 Expert Report of Jonathan E.</p> <p>11 Hochman</p> <p>12 Highlighted portions at pages:</p> <p>13 2-19</p>	<p>The information requested to be sealed contains Google’s highly confidential and proprietary information regarding highly sensitive features of Google’s internal systems and operations, including Google’s logs and internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google’s competitors. Such confidential and proprietary information reveals Google’s internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2–3. Public disclosure of such confidential and proprietary information could affect Google’s competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google’s internal practices relating to competing products.</p>

21 3. Google’s request is narrowly tailored in order to protect its confidential information.
22 These redactions are limited in scope and volume. Because the proposed redactions are narrowly
23 tailored and limited to portions containing Google’s highly confidential or confidential information,
24 Google requests that the portions of the aforementioned documents be redacted from any public
25 version of those documents.

26 4. Google does not seek to redact or file under seal any portions of Plaintiffs’ Expert
27 Report not indicated in the table above.
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1 I declare under penalty of perjury of the laws of the United States that the foregoing is true
2 and correct. Executed in Washington, D.C on September 20, 2023.

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5 By /s/ Carl Spilly
6 Carly Spilly
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